C O P Y

ORDINANCE NUMBER 5

SERIES 1973

AN ORDINANCE REGULATING AND SETTING RATES FOR THE DISPOSAL OF REFUSE AND PROVIDING PENALTIES.

BE IT ORDAINED by the City Council of the City of Elgin, Oregon:

Section 1: DEFINITIONS. When used in this ordinance, unless the context requires otherwise:

(a) "Refuse" means solid waste.

(b) "Garbage" means all putrescible waste, except sewage and body waste, including vegetable waste and including all such substances from all public and private establishments and residence, but not including recognized industrial by-products.

(c) "Rubbish" means refuse other than garbage (tin cans, bottles, ashes, paper, pasteboard, cardboard or wooden boxes, brush, leaves, weeds and cuttings from trees, lawns, shrubs, and gardens, or other waste materials provided in normal course of everyday living).

(d) "Disposal Area" means any area designated or provided by the Council from time to time for the purpose of disposal of refuse.

(e) "Disposal Area Operator" means the person or persons designated by the Council to operate and manage the disposal area.

(f) "Person" means corporation, association, and partnership, as well as

or the City Recorder's Office. Fees charged will be in accordance with the schedule in Section 9.

Section 5: OPERATION OF DISPOSAL AREA. The City shall conduct the sanitary landfill at the disposal area.

Section 6: PROHIBITED DEPOSITS. The City reserves the right to prohibit deposit of industrial by-products, wire, dead animals and other materials considered undesireable at the disposal area.

Section 7: TRANSPORTING REFUSE. Any person who shall carry any refuse through the streets of the City of Elgin shall protect such refuse from wind and rain, and load it in such a manner so that none of it shall drop or spill, and shall provide his vehicle so carrying such refuse with a suitable cover securely fastened, or the load sufficiently bound so as to prevent the scattering or dropping of the refuse in said road.

Section 8: BURNING. No person shall burn garbage within the City Limits of the City of Elgin. Burning of rubbish shall be permitted.

Section 9: SERVICE CHARGES. The following fees and charges shall be levied by the City to any person or persons who use the disposal area:

(a) Minimum charge - 50¢.

(b) 32-gallon cans - 50¢ for the first two cans and 25¢ for each additional can.

(c) 50-gallon barrels - 50¢ each.

Section 11 PENALTIES. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor; and upon conviction thereof shall be fined not to exceed $50.00 or imprisonment in the City Jail not to exceed five (5) days, or both such fine and imprisonment.

Section 12: SEVERABILITY CLAUSE. If any section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

PASSED and ADOPTED this 19 day of June, 1973, by Five (5) council members voting therefore.

APPROVED this 19 day of June, 1973.

ATTEST:

City Recorder